

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

vs.

DONALD G. JACKMAN

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Crim. No. 00-72  
(Civ. No. 04-1098)

**ORDER**

Petitioner Donald G. Jackman, Jr.'s Motion to Vacate under 28 U.S.C. 2255 filed at Criminal No. 00-72 (Doc. 140), and his Motion to Transfer to the Court of Federal Claims under RCFC Rule 3.1 & 28 USC 1292 (d)(4)(B) (Doc. 169), were denied by this Court on December 22, 2006.

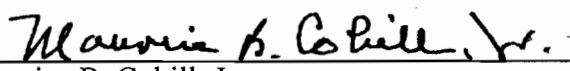
Mr. Jackman appealed the denial of his Motion to Vacate to the United States Court of Appeals for the Third Circuit. That case is docketed at Third Circuit Docket No. 07-1023.

Mr. Jackman appealed the denial of his Motion to Transfer to the United States Court of Appeals for the Federal Circuit. That case is docketed at Federal Circuit Docket No. 2007-1140.

On January 23, 2007, Mr. Jackman filed a Motion for Relief from Judgment and Order Under Federal Rules of Civil Procedure Rule 60(b) (Doc. 177), and a Motion for Disqualification Under 28 USCS § 455(a) & 5(i) (Doc. 178). Except in certain limited circumstances not applicable here, the respective Appellate Courts have exclusive jurisdiction over Mr. Jackman's action.

The following Order is therefore entered.

AND NOW, to-wit, this 29<sup>th</sup> day of January, 2007, it is hereby ORDERED, ADJUDGED, and DECREED that Petitioner's Motion for Relief from Judgment and Order Under Federal Rules of Civil Procedure Rule 60(b) (Doc. 177) and Motion for Disqualification Under 28 USCS § 455(a) & 5(i) (Doc. 178), be and hereby are DENIED for lack of jurisdiction.

  
Maurice B. Cohill, Jr.  
Senior United States District Judge

cc: Donald Jackman, Jr.  
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